

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

PAUL E. DURAN,

Plaintiff,

v.

LONGORIA,

Defendant.

Case No. 1:20-cv-00289-KES-HBK (PC)

ORDER NOTING PLAINTIFF'S
OBJECTION'S

Doc. No. 59

Pending before the Court is Plaintiff's pleading entitled "Objections to the Courts [sic] Order Striking Improper Pleading, (Doc. No. 56)." (Doc. No. 59). On February 8, 2024, the Court issued an Order striking Plaintiff's February 2, 2024 filing (Doc. No. 56) as an improper pleading because it did not contain the elements of a motion required by Rule 7(b) of the Federal Rules of Civil Procedure. (Doc. No. 57 at 1-2). Rather, the pleading consisted of a letter informing the Court that Plaintiff refused a proposed stipulation for voluntary dismissal offered by Counsel for Defendant. (*Id.*). Plaintiff also asserted that he could not enter into any stipulation because he recently received an inheritance from his mother and is a sovereign citizen. (*Id.*).

In his Objections, Plaintiff states that "this instant [sic] pleading is now in proper format style . . . this should allow [Plaintiff] to have the court to be mandated to file this pleading of objection as part of the record in court . . ." (Doc. No. 59 at 2). Plaintiff then argues that the

1 criminal conviction under which he is currently incarcerated was a “miscarriage of justice.” (*Id.* at
2 3-4). To the extent Plaintiff seeks to have his objections to the Court’s February 8, 2024 Order
3 noted for the record, the Court grants Plaintiff’s request. The Court does not discern any other
4 requested relief in Plaintiff’s pleading.

5 Accordingly, the Court **ORDERS**:

6 Plaintiff’s Objections (Doc. No. 59) are noted for the record.

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8 Dated: April 5, 2024


9 HELENA M. BARCH-KUCHTA
10 UNITED STATES MAGISTRATE JUDGE

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